

September 20, 2024



Dear City Council Members,

We are reaching out as we bought a recently subdivided lot off of the back of 15 Lafayette Road, now 185 Orchard Street, to build our primary residence, a single family home. We have spent the last several months putting together the engineering and architectural plans. I am attaching the survey showing the subdivision, our architectural drawings, and some photos of existing homes in our neighborhood for comparison to this letter.

We submitted our building permit with the plans just over 2 months ago, and it has been brought to our attention that the land is in the Historic District Overlay Zone. We were never informed we would need HDC approval to build on the land and that it would remain in the Historical District once the subdivision took place, but obviously we were informed incorrectly, which is why we are writing this letter. We are asking to remove our lot from the Historical District for several reasons which we have laid out below:

- The Historic District Overlay Zone was extended down Middle Street and Lafayette Road from South Street to State Street because it is considered a "gateway" into the city. All properties with direct frontage on the stretch of Lafayette Road (from South St) and Middle Street down to State Street are considered part of the Historic District Overlay Zone. The subject property has no frontage, in fact, it does not directly abut Lafayette Road or Middle Street.
- Some properties that are located on the corner lots of Lafayette Road from South Street down to State Street are considered part of the Historical District. The subject lot is not a corner lot abutting Lafayette Road or Middle Street.
- The subject property's frontage is on Orchard Street. No properties on Orchard Street are in the Historical District.
- The structure being built coincides with the zoning requirements for GRA (plans attached)
- The character of the Historic District Overlay Zone will not be affected, as the structure will not be able to have any direct visibility from Lafayette Road or Middle Street.
- Constructing the home in its current location will not contradict with the spirit of the city's zoning of the HDC overlay district as a "gateway" into the city.

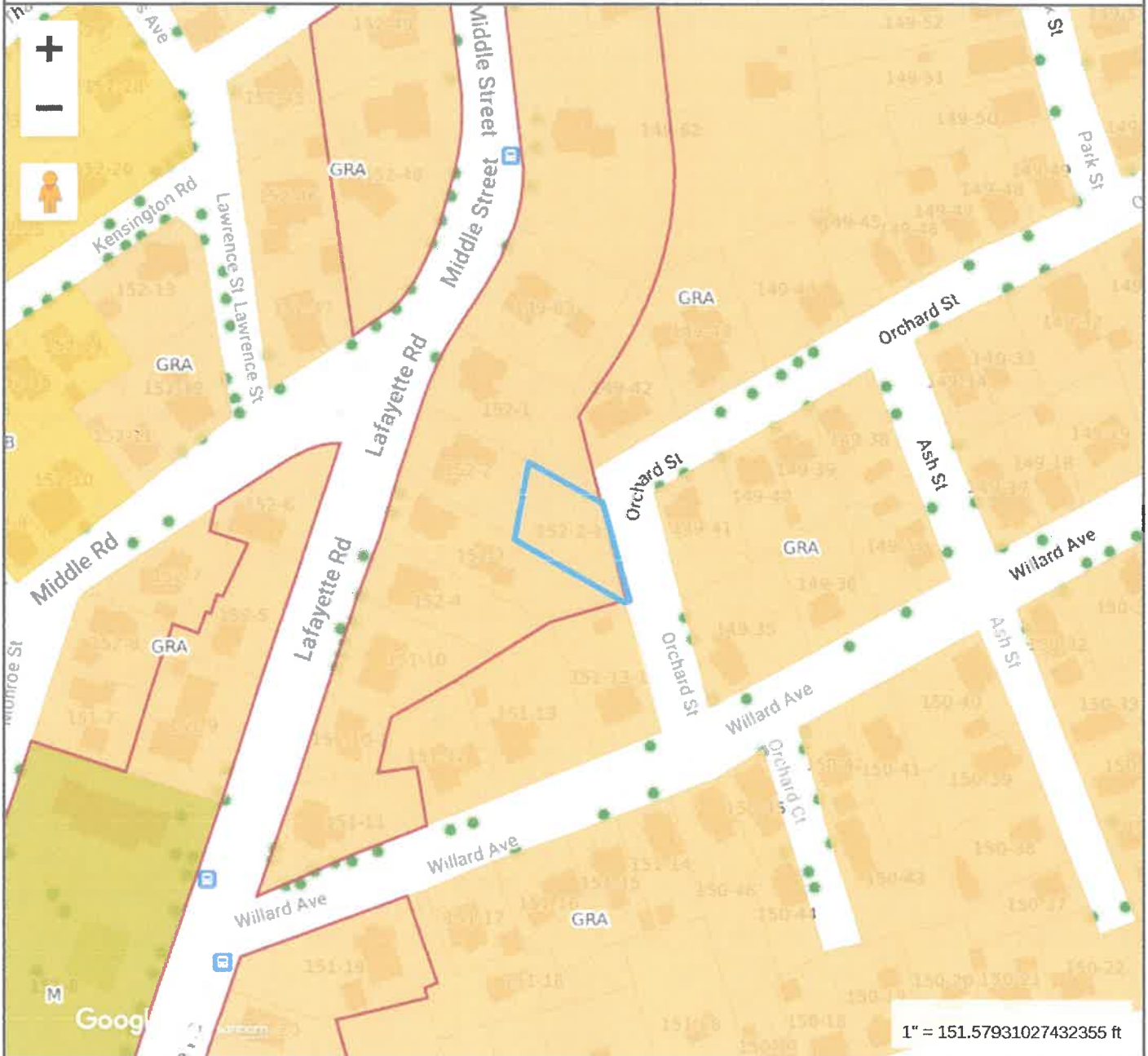
We understand that this is a rare ask, but after reviewing the HDC's guidelines and current zoning, we feel this should be granted as an exception, and we kindly ask for your help doing so. Our intentions are to in no way take away from the historical character of our City's "gateway" to downtown. Our house's characteristics fall in line with other houses on our street that are not part of the HDC jurisdiction, and we are asking to join them. Our lot was not created until after the Historic District Overlay Zone was determined, and the original lot was one undivided lot. We were trying to get the foundation in the ground prior to winter, as we have had our permit in for a couple months now, and we're trying to get our house built in a timely manner for our family to move in by this coming Spring.

Thank you for taking the time to read this and for taking our ask into consideration. If you have any questions please do not hesitate to reach out.

  
Jessie and Scott Rafferty

185 Orchard Street, Portsmouth, NH 03801

*srafferty@ocrandco.com*  
*603-767-8929*



Property Information

Property ID 0152-0002-0000  
 Location 15 LAFAYETTE RD  
 Owner LOADER CHRISTOPHER J & AMY



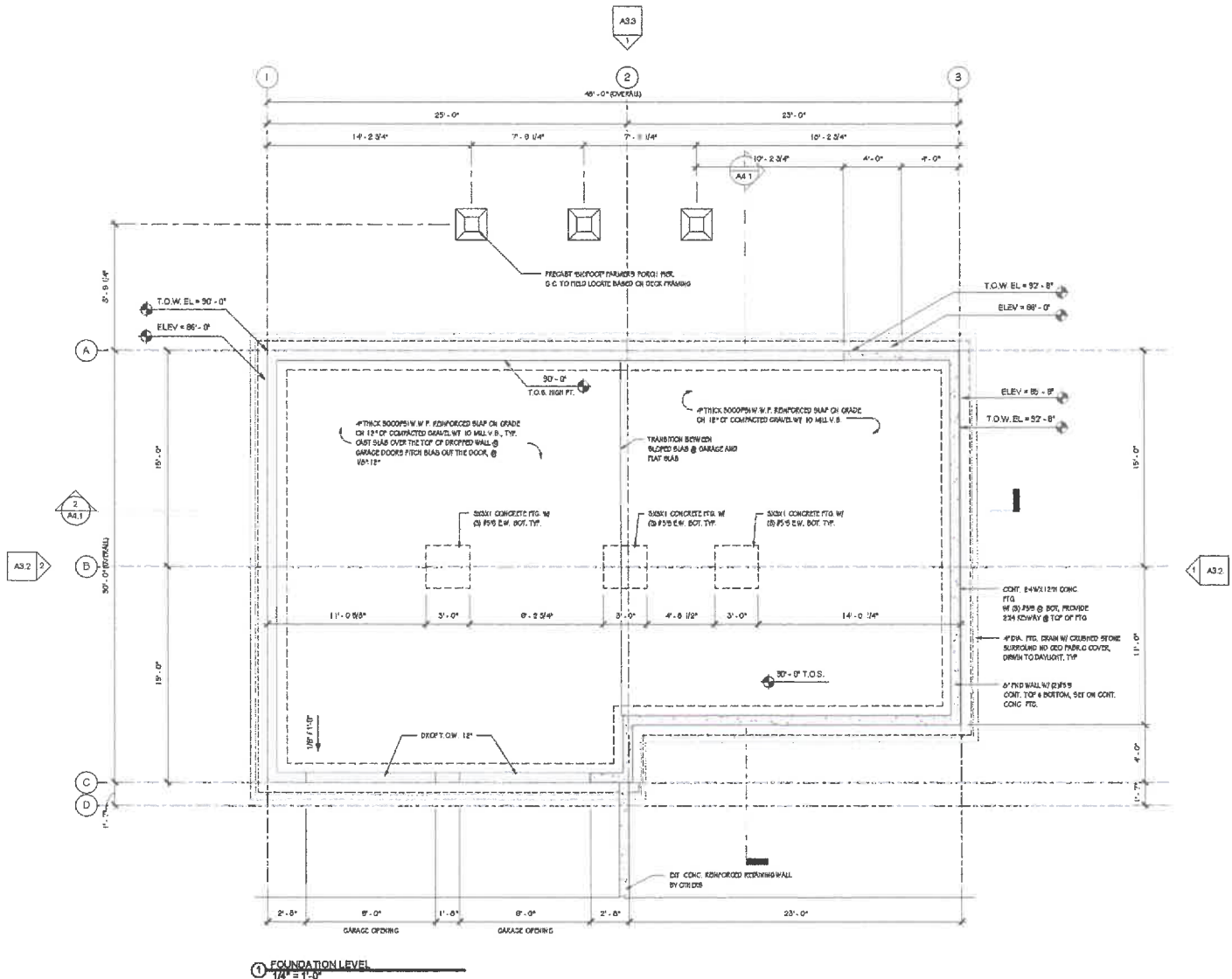
MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/18/2024  
 Data updated 3/9/2022

Print map scale is approximate.  
 Critical layout or measurement activities should not be done using this resource.

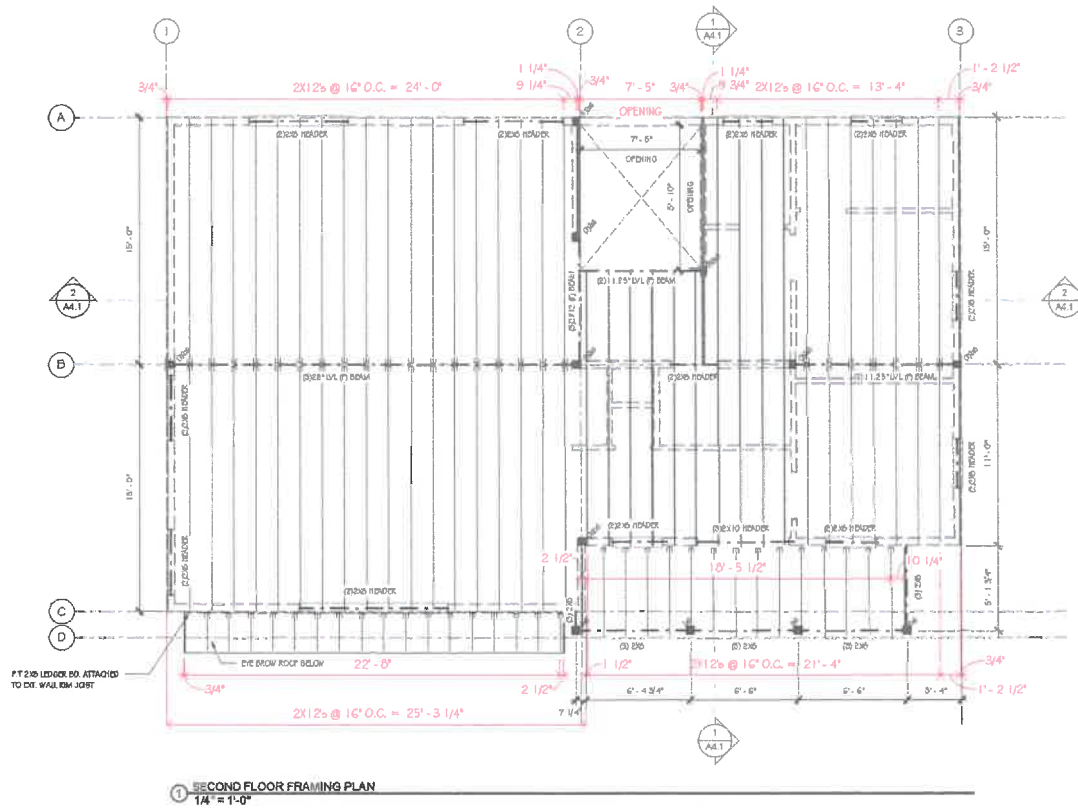




- STRUCTURAL GENERAL NOTES:**
1. HOME TO HAVE #4 TAIL BARS FOR WALL & GARAGE TO HAVE #4 TAIL BARS FOR WALLS
  2. TYPICAL BRICK CORNER FOOTINGS SHALL BE MINIMUM 550#1 W/ (3) #5 SCHED BARS @ BOTTOM
  3. FOUNDATION FOOTINGS TO BE CONC. 1250#1 W/ (5) #5 CONC. @ BOTTOM @ D.O.F. @ 1\"/>

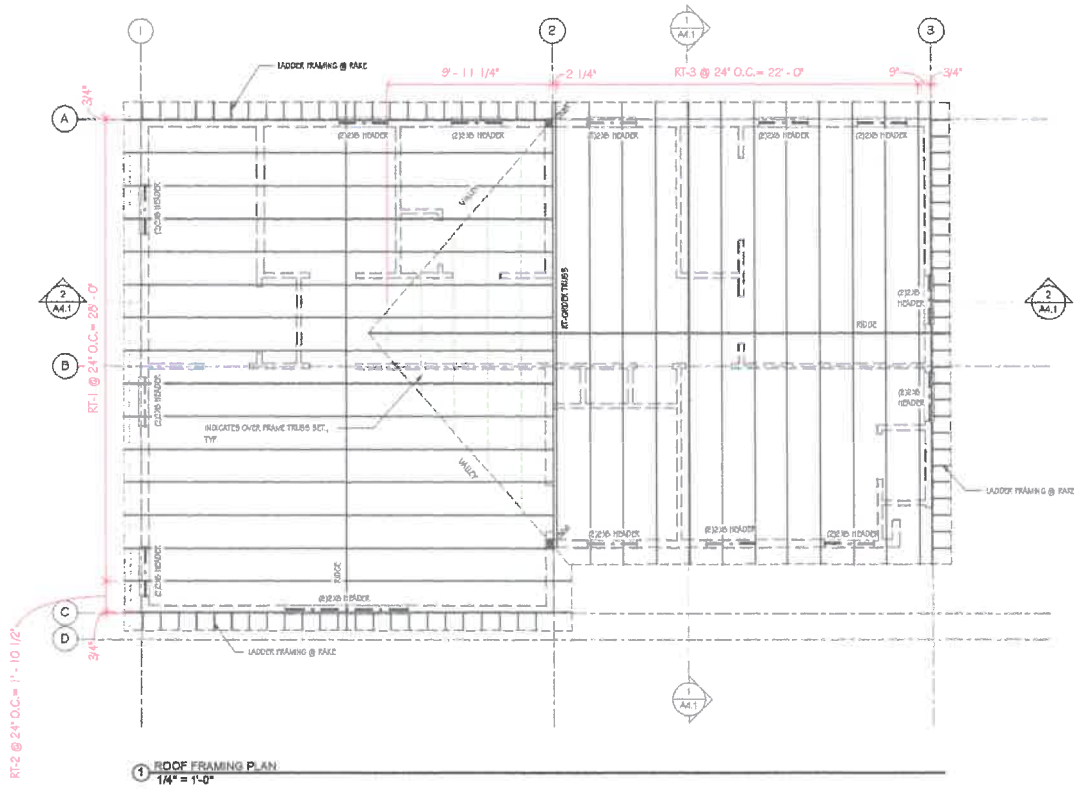
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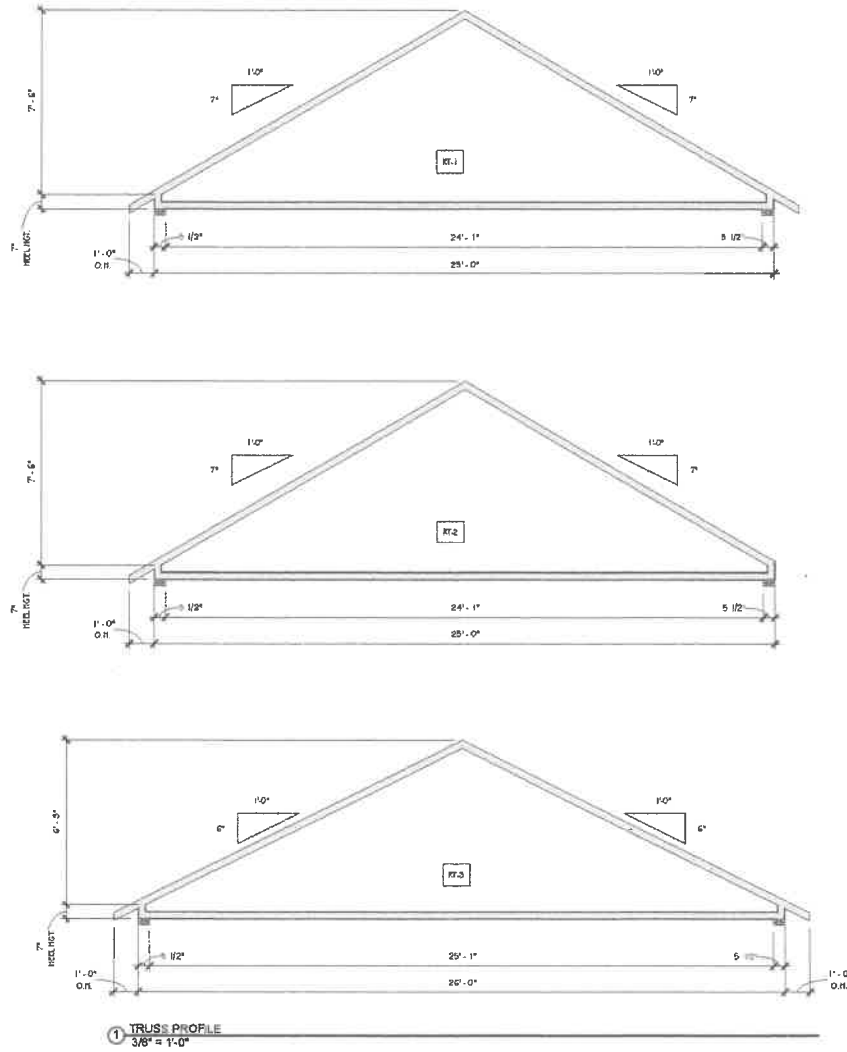


1 SECOND FLOOR FRAMING PLAN  
1/4" = 1'-0"

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FOR CONSTRUCT  
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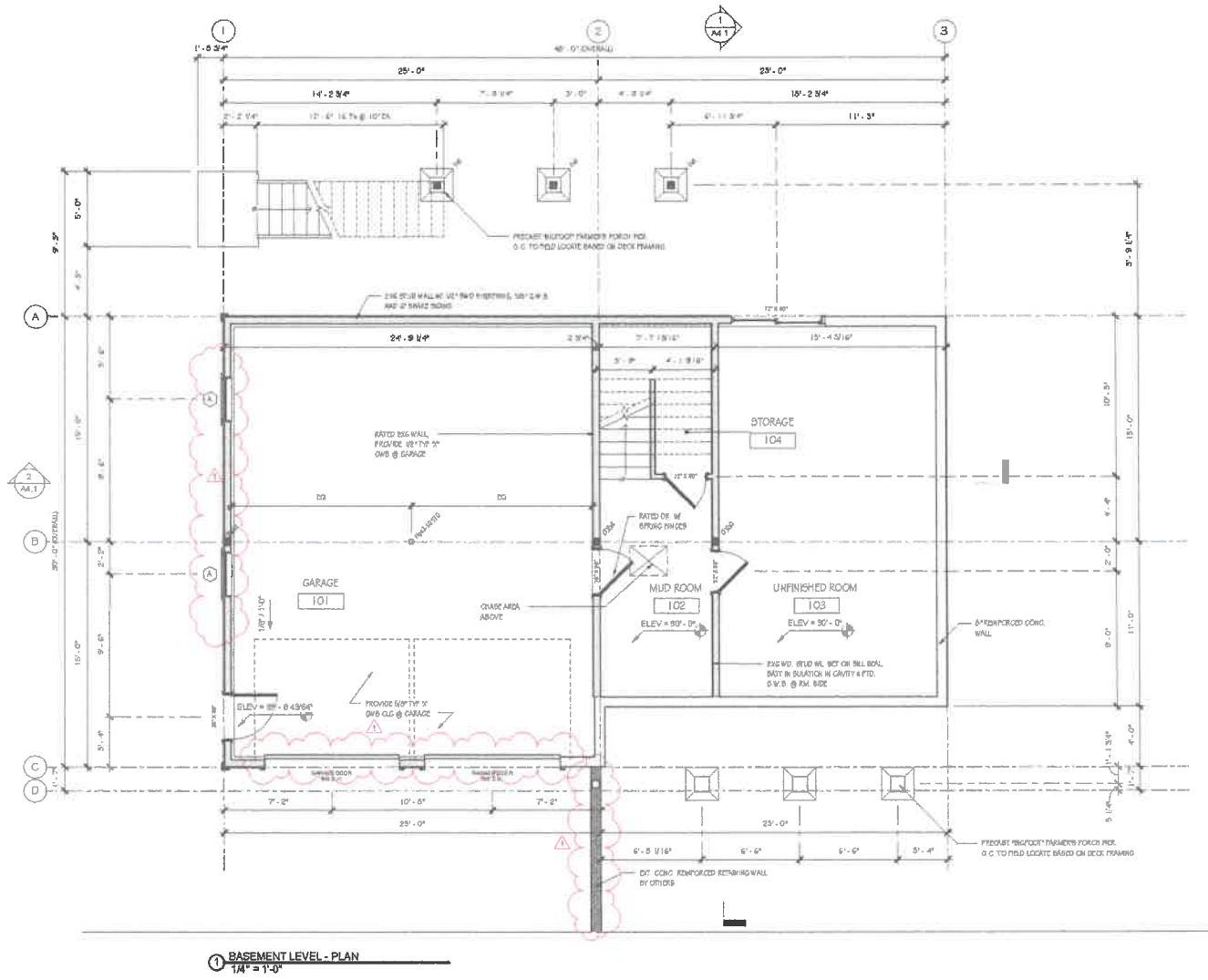


**STRUCTURAL LOCAL NOTES, U.N.O.:**

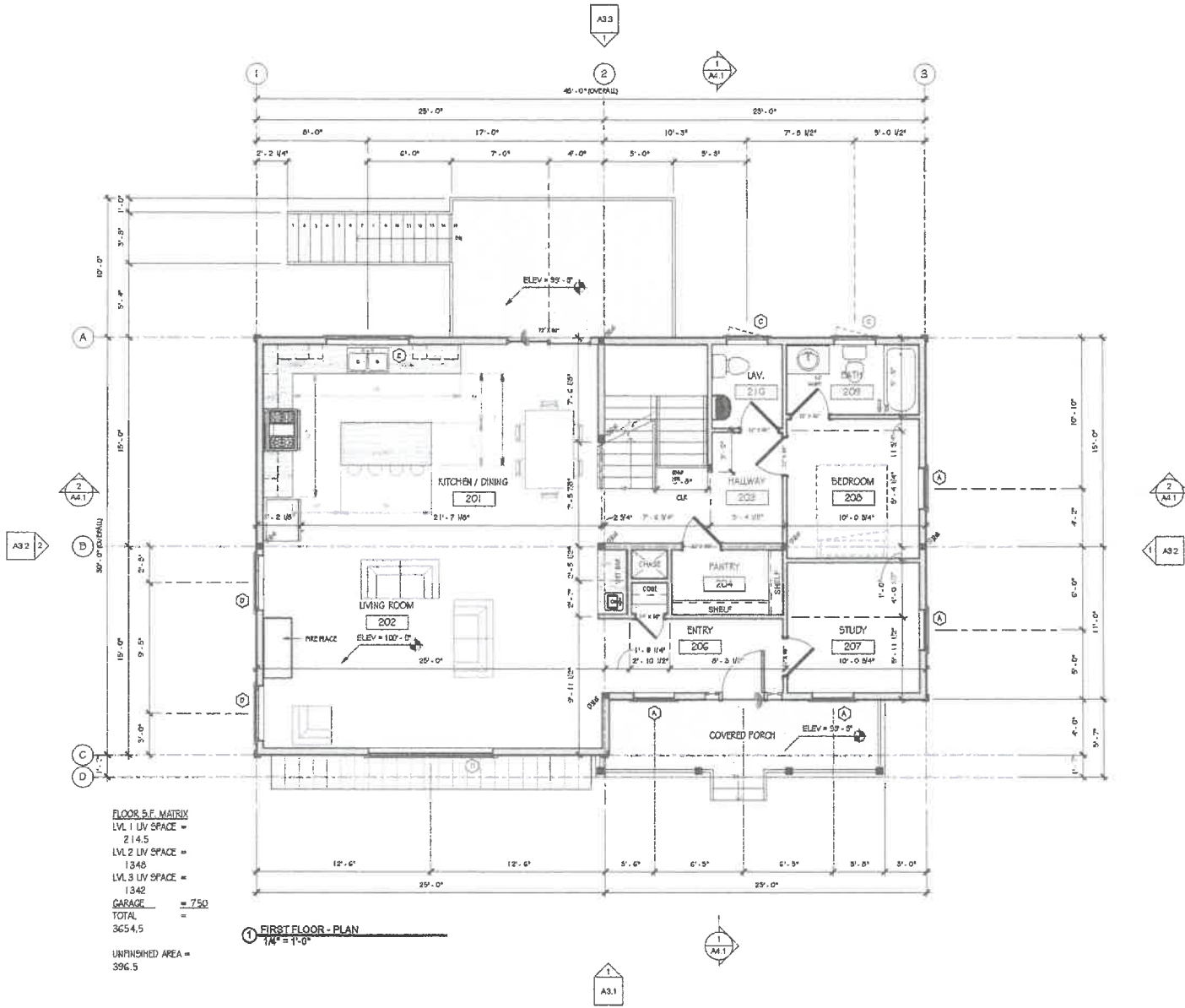
1. ALL WORK, MATERIALS AND INSTALLATION OF ALL ITEMS AND PRODUCTS SHALL CONFORM TO CURRENT CODE, STANDARD PRACTICE AND MANUFACTURE REQUIREMENTS.
2. ALL FOOTINGS & SLABS OR GRADES SHALL BE ON UNDISTURBED SOIL OR COMPACTED STRUCTURAL FILL WITH AN ALLOWABLE SOIL BEARING CAPACITY OF 1,500 PSF. THE OWNER IS ENCOURAGED TO ENHANCE GROUND TESTING AT THE OWNER'S CORNER.
3. ALL FOUNDATION, RETAINMENT WALLS, FOOTINGS, ISOLATION FOOTINGS, AND INTERIOR SLABS SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF 3,000 PSI.
4. ALL GARAGE SLABS AND ALL EXTERIOR SLABS SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF 3,500 PSI.
5. FOUNDATION FOOTINGS TO BE CONT. 12" X 24" MIN. (24" X 24" CONT. @ BOTTOM) 8" O.C. @ 40" BELOW GRADE MIN. O.C. TO 1'-0", STOP ITD. AS REQD.
6. PROVIDE #4 BOWTIELS @ 40" O.C. W/ 1"4" ENVELOPMENT INTO STEEL WALL. 1 STD. ROCK INTO ITD. BOT. PER IRC SECTION 600.
7. TYPICAL INTERIOR CONG. FOOTINGS SHALL BE MINIMUM 300X11" W/ #3 @ 19" DIA. @ 1" W/ @ BOTTOM.
8. TYPICAL FOUNDATION FROSE WALLS TO BE 8" THICK W/ #1 REIN. CONT. @ TOP, MID & BOTTOM.
9. PROVIDE TWO COURTS OF DRAIN FOOTING ON THE EXT. FACE OF MID WALL FOOTING.
10. FOR ALL OCCUPIED ELEMENTS OR IF BITE WATER TRAPERS REQUIRED, PROVIDE 4" PVC ITG. DRAIN PIPE & GROUND PAGING PER DETAIL. RUN PIPE TO DAY LIGHT.
11. WALL PLATE ANCHORS SHALL BE 6" DIA. 10" LONG 2" BOLTS W/ #4 SUBMERGIT, SET TO BE IN MID. 1/3 OF W/ PLATE.
12. ANCHOR BOLTS SPACING SHALL BE 4'-0" O.C. MAX. 4" (2" FROM CORNER MAX.) (2) BOLTS PER PLATE MIN. PROVIDE STANDARD WALKER & NUT FOR DR.
13. ANY LUMBER EXPOSED TO WEATHER, OR IN CONTACT W/ CONCRETE OR STEEL SHALL BE PRESSURE TREATED (P.T.) LUMBER. ANY LUMBER IN DIRECT CONTACT W/ THE GROUND SHALL BE TREATED PER SUG.
14. PROVIDE CONT. SILL WALLS UNDER P.T. W/ SILL PLATE.
15. ALL NOMINAL STRUCTURAL LUMBER SHALL BE K.D. SPF No. 1 / No. 2, U.S.P.O.
16. ALL CONCRETE LUMBER AND STRUCTURAL MEMBERS SHALL BE WEATHERED FOR PRODUCTS OR APPROVED EQUAL AND SHALL BE INSTALLED PER MANUFACTURER LATEST REQUIREMENTS.
17. ALL FIRE ENGINEERED WOOD TRUSSES SHALL BE DESIGNED BY AN ENGINEER LICENSED IN THE STATE BEING DESIGNED IN THIS SHALL BE THE RESPONSIBILITY OF THE TRUSS PROVIDER.
18. REFER TO TYPICAL ASSEMBLY NOTES ON DWG SHEET FOR THE DESIGN INTENT OF ALL WALL SILL, RAFTERS, AND JOISTS SIZES AND SPACING.
19. REFER TO FLOOR OR FRAMING PLANS FOR ALL HEADER, DIMS AND COL. SIZES.
20. ALL INTERIOR BEARING WALLS TO BE 2X6 14" O.C. OR BETTER.
21. ALL FLOOR BEARING SHALL BE 2X12 OR TAG GLEYS & WALLED TO WD. JOISTS. ADVANTAGE OR EQUAL, (WORD OR DWGS AS FLYING)
  - ALL EXTERIOR WALL SPACING SHALL BE 16" W/ 2X6.
22. INSTALL ROOF BOLD CORN IN EXT. WALL CORNERS W/ LESS THAN 40" OF CONT. WALL BEARING. O.C. TO V. 1". AND COORDINATE THIS DETAIL AS REQUIRED.
23. ALL WINDOW & DOOR HEADERS NOT DESIGNATED ON PLANS SHALL BE 2X12.
24. PROVIDE DOUBLE PILE STUDS OR OPENING LARGER THAN 4'-0", 4" STIFFENERS OR OPENING LARGER THAN 8'-0".
25. G.C. TO PROVIDE FASTENERS FOR THE IRC PRESCRIPTIVE METHOD, U.N.O.

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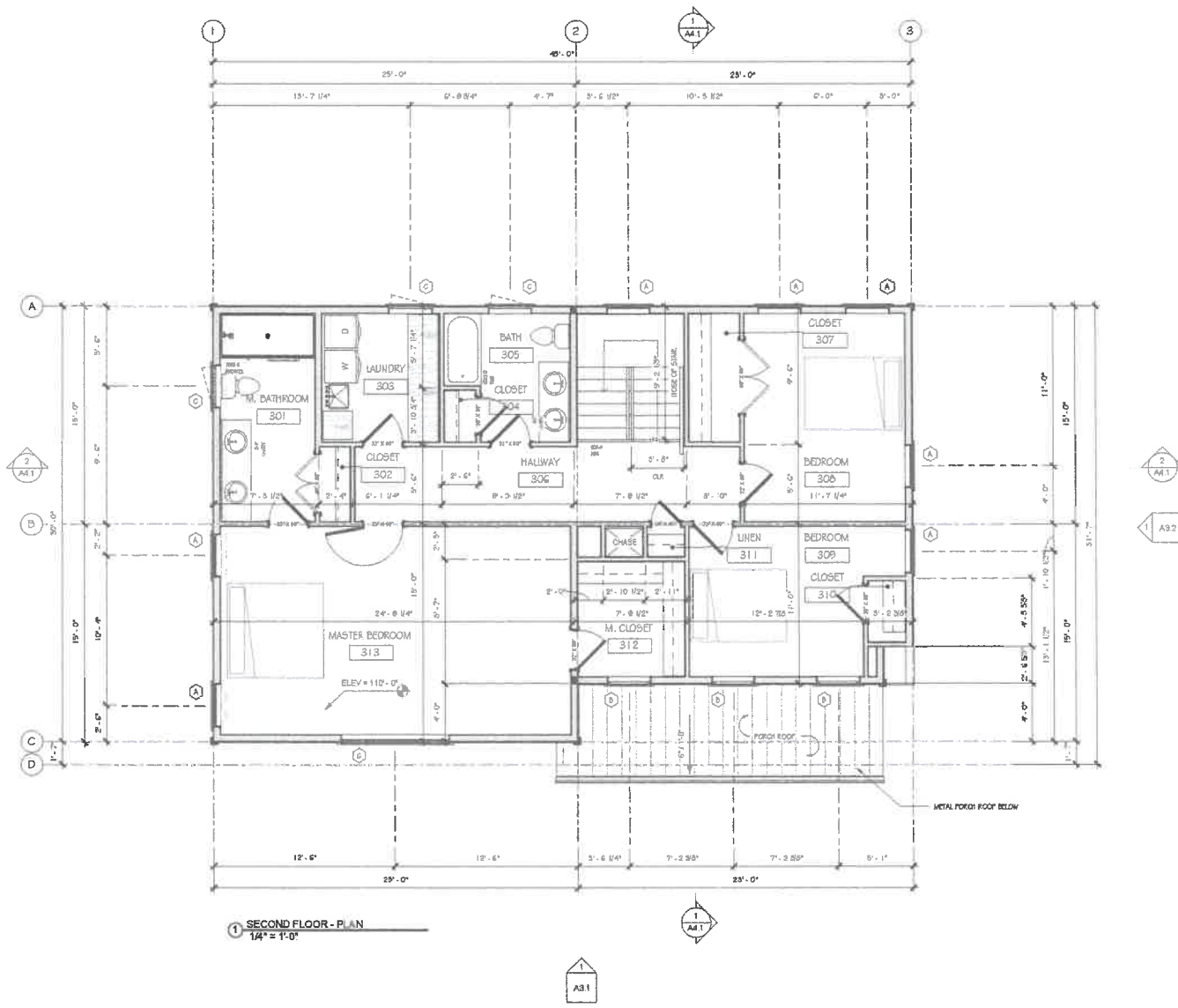




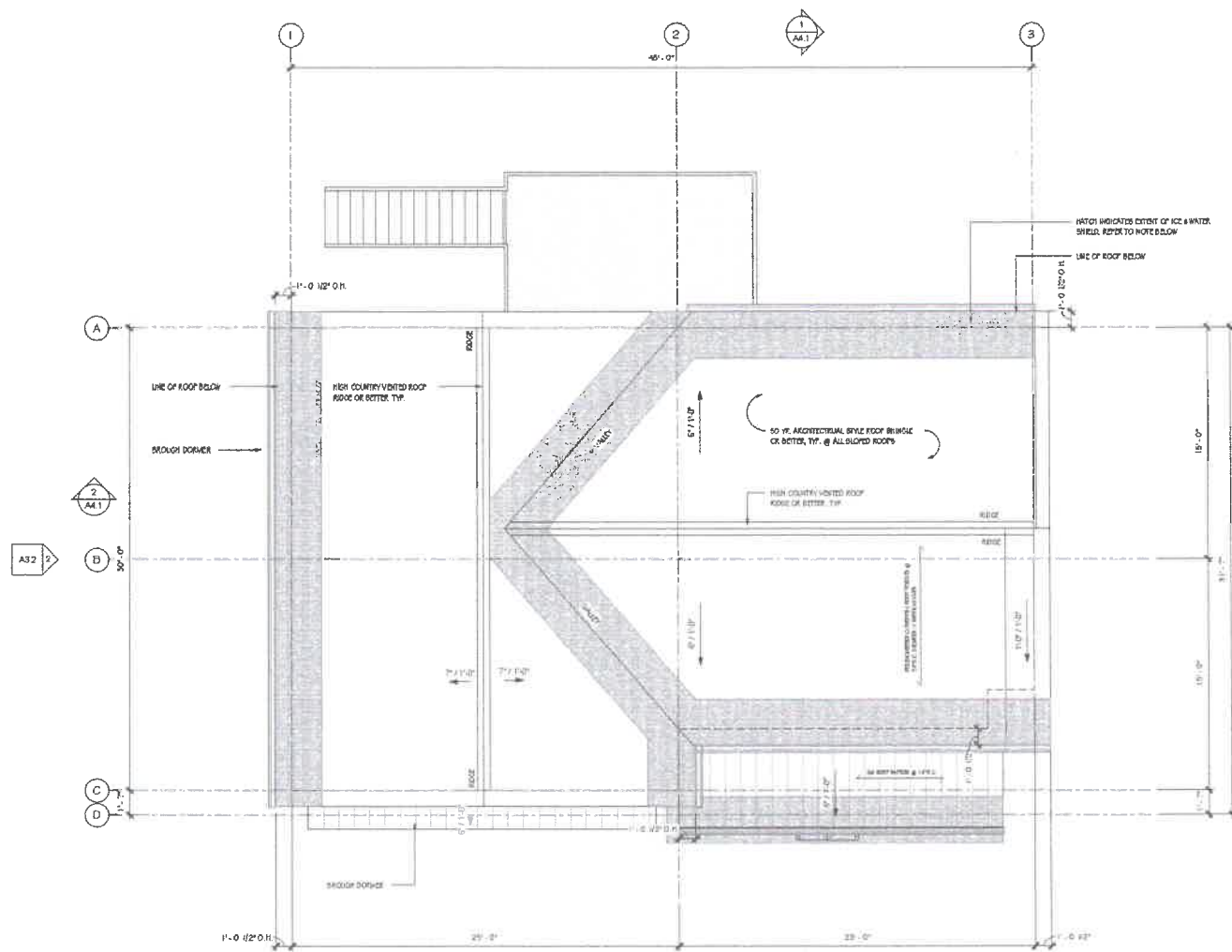
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1 PROPOSED ROOF PLAN  
1/4" = 1'-0"

**ROOF VENTING CALCULATIONS**

ROOF	AREA	REQUIRED VENTING AREA	ROOF TYPE
MAIN ROOF	18,146 SF	5.08 SF	6 B & B

ROOF AREA / 300 = REQUIRED VENTING AREA PER IRC 8018.1.1.1.1

**ROOF VENTING NOTES**

1. ROOF VENT CALCULATIONS BASED ON CORRA DN RAFT VENT
2. ONE VENT BASED ON CERTAINTED VINYL GARPOREX RVV NET AREA 6.00 SF
3. MULTIFAMILY VENTING BASED ON AREA/SLANT
4. PER SECTION 11A CLASS 1 OR 2 VENT ESTIMATED IN THIS SECTION IS LESS THAN 40% AND NOT MORE THAN 10% VENTS LOCATED IN THE UPPER PORTION OF THE ATTIC OR S.

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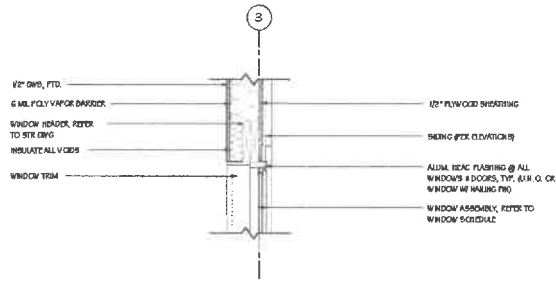




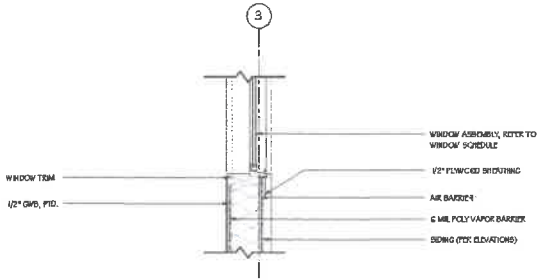




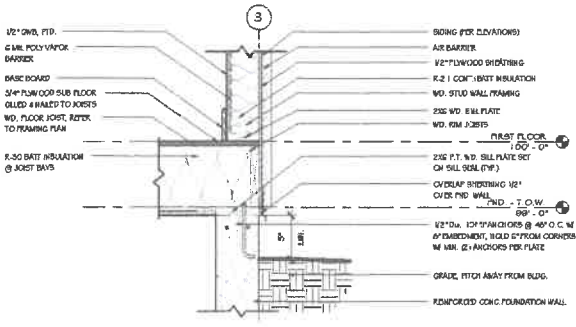




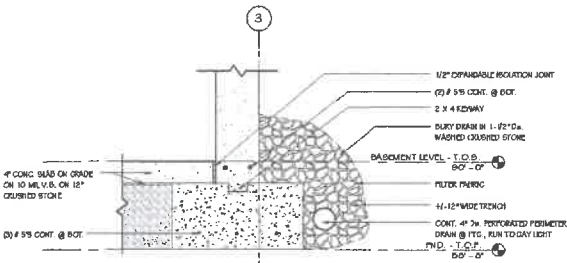
4 SEC. DTL. @ WINDOW HEADER  
1" = 1'-0"



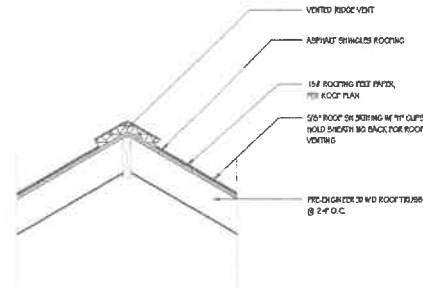
3 SEC. DTL. @ WINDOW SILL  
1" = 1'-0"



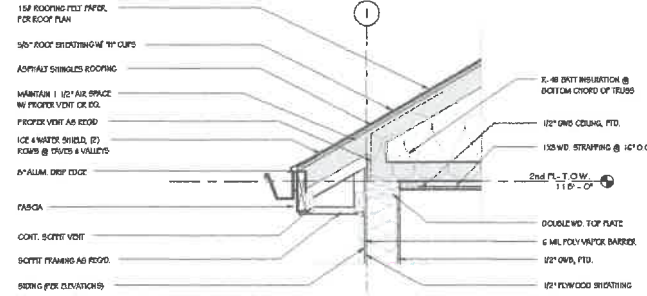
2 FIRST FLR. FLR ASSEMBLY  
1" = 1'-0"



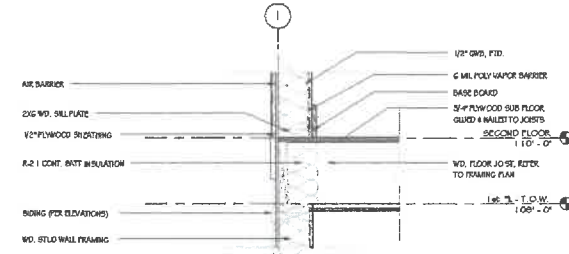
1 FND FTG. DTL.  
1" = 1'-0"



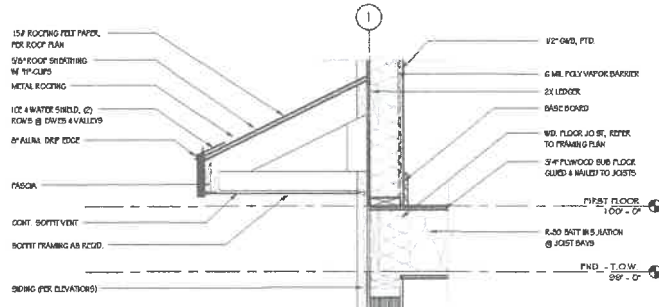
6 SEC. DTL. @ ROOF RIDGE  
1" = 1'-0"



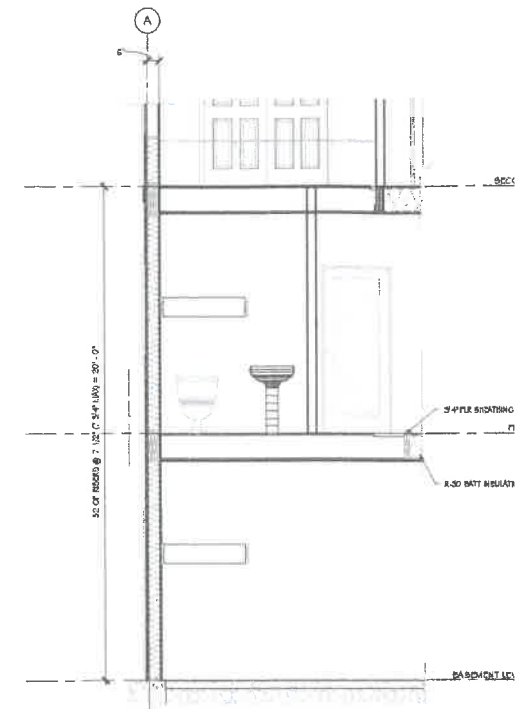
7 FIRST FLR. FLR ASSEMBLY 4  
1" = 1'-0"



8 SEC. DTL. @ FLOOR DECK  
1" = 1'-0"



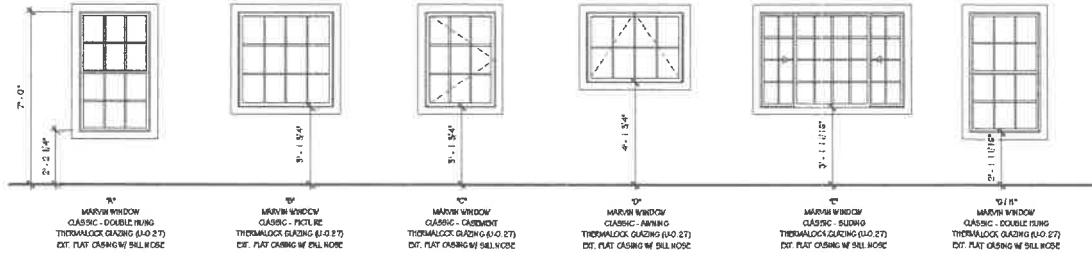
5 SEC. DTL. @ FLOOR SLAB  
1" = 1'-0"



9 INTERIOR SECTION - STAIRS  
3/8" = 1'-0"

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Window Schedule							
Type Mark	Manufacturer	Model	Description	Rough Width	Rough Height	Head Height	Comments
A	Mervin Windows and Doors	ESDH3050	3660 DBHG	3' - 0"	5' - 0"	<varies>	
B	Mervin Windows and Doors	ESCAP4040	4848 PICT	3' - 0"	3' - 0"	7' - 0"	
C	Mervin Windows and Doors	ESCA3040	3648 CSMT	3' - 0"	4' - 0"	7' - 0"	
D	Mervin Windows and Doors	ESAWN4030	4836 AWNG	4' - 0"	3' - 0"	7' - 0"	
E	Mervin Windows and Doors	ESGLTS6040	6040 GLDR	6' - 0"	4' - 0"	7' - 0"	
G	Mervin Windows and Doors	ESDH3050	3660 DBHG	7' - 6"	5' - 0"	7' - 0"	
H	Mervin Windows and Doors	ESDH3050	3660 DBHG	9' - 0"	5' - 0"	7' - 0"	

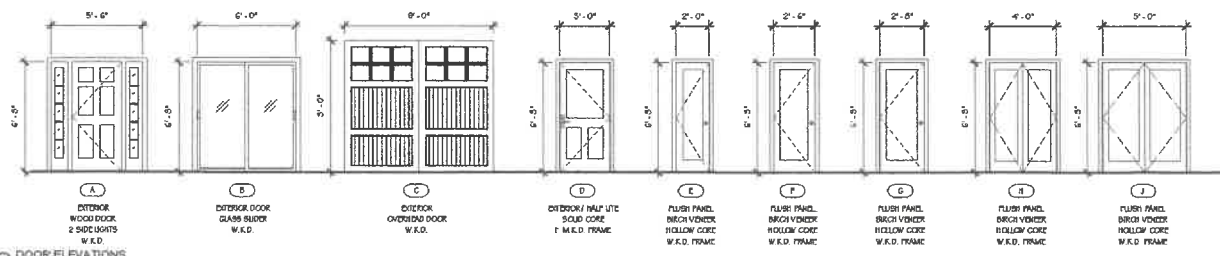


WINDOW ELEVATIONS  
3/8" = 1'-0"

Room Schedule									
Room	Number	Floor Finish	Base Finish	Wall Finish	Ceiling Finish	Openings			
PORCH	101	UNFINISHED CONCRETE	NONE	FTD. G.W.B.	FTD. G.W.B. (BATH)				
MEB ROOM	102	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BAR	103	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
UNFINISHED ROOM	103	UNFINISHED CONCRETE	NONE	UNFINISHED CONCRETE	DP CORO STR.				
STORAGE	104	UNFINISHED CONCRETE	NONE	UNFINISHED CONCRETE	DP CORO STR.				
STITCHING RM/NO	201	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
LIVING ROOM	202	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
HALLWAY	203	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
KITCHEN	204	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
LODGE	205	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
ENTRY	206	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
STUDY	207	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BEDROOM	208	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BATH	209	LVT	5.25" SPEED BASE	FTD. M.E. G.W.B.	FTD. M.E. G.W.B.				
M. CLOSET	210	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
LAV	210	LVT	5.25" SPEED BASE	FTD. M.E. G.W.B.	FTD. M.E. G.W.B.				
M. BATHROOM	301	LVT	5.25" SPEED BASE	FTD. M.E. G.W.B.	FTD. M.E. G.W.B.				
CLOSET	302	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
LAUNDRY	303	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
CLOSET	304	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BETH	305	LVT	5.25" SPEED BASE	FTD. M.E. G.W.B.	FTD. M.E. G.W.B.				
HALLWAY	306	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
CLOSET	307	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BEDROOM	308	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
BEDROOM	309	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
CLOSET	310	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
LODGE	311	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
M. CLOSET	312	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				
MASTER BEDROOM	513	LVT	5.25" SPEED BASE	FTD. G.W.B.	FTD. G.W.B.				

- FINISH SCHEDULE NOTES:**
1. ALL INTERIOR NON LOAD BEARING WALL SHALL BE 2x4 FD. STUDS @ 16" O.C.
  2. ALL OWS IN RATED ASSEMBLIES SHALL BE 2x8" MIN. (PARALLEL TO JOIST OR BEAM WALL)
  3. ALL OWS IN UNRATED ASSEMBLIES SHALL BE 1 1/2" MIN. O.
  4. ALL OWS IN BATH ROOMS SHALL BE INSULATED THERMAK.
  5. ALL OWS SHALL BE MAINTAINED & SEALED & PREPARED TO RECEIVE FRAMES & PAINT, EVEN IF NOT IN OCCUPIED SPACE.
  6. ALL RATED WALLS SHALL EXTEND TO UNDER SIDE OF DECK ABOVE.
  7. ALL INTERIOR WALL PAINT TO BE (1) COAT OF PRIMER + (2) COATS OF FINISH PAINT.

Door Schedule												
Mark	Type Mark	Operation	Rough Width	Rough Height	Thickness	Fire Rating	Door Material	Door Finish	Frame Type	Frame Finish	Lock Set	Comments
101	D		3'-0"	6'-6"	1-3/8"							
102	271		3'-0"	6'-6"	1-3/8"							
103	B		2'-6"	6'-6"	1-3/8"							
104	G		2'-6"	6'-6"	1-3/8"							
201	B		2'-6"	6'-6"	1-3/8"							
204	G		2'-6"	6'-6"	1-3/8"							
205	E		2'-6"	6'-6"	1-3/8"							
207	G		2'-6"	6'-6"	1-3/8"							
208	G		2'-6"	6'-6"	1-3/8"							
209	G		2'-6"	6'-6"	1-3/8"							
210	G		2'-6"	6'-6"	1-3/8"							
301	G		2'-6"	6'-6"	1-3/8"							
302	J		4'-0"	6'-6"	1-3/4"							
303	G		2'-6"	6'-6"	1-3/8"							
304	F		2'-6"	6'-6"	1-3/8"							
305	J		2'-6"	6'-6"	1-3/8"							
307	J		2'-6"	6'-6"	1-3/4"							
308	E		2'-6"	6'-6"	1-3/8"							
309	G		2'-6"	6'-6"	1-3/8"							
310	F		2'-6"	6'-6"	1-3/8"							
311	E		2'-6"	6'-6"	1-3/8"							
312	G		2'-6"	6'-6"	1-3/8"							
513	G		2'-6"	6'-6"	1-3/8"							
310	C		8'-0"	6'-6"	1-3/8"							Complies with SM Standard 12-7A.1
311	C		9'-0"	6'-6"	1-3/8"							Complies with SM Standard 12-7A.1
512	A		3'-0"	6'-6"	1-3/8"							



DOOR ELEVATIONS  
1/4" = 1'-0"

FOR CONSTRUCTION  
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*Existing homes in the neighborhood 1-3*



2-3



3-3



17. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request from Nissa Bagelman, Reedmor Books & Brews, to install a Projecting Sign at 67 State Street, Unit 2 - **Voted** to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement for this request.

Planning Director's Stipulations:

- *The license shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

18. Email Correspondence – **Voted** to accept and place on file.

19. Letter from Jessie & Scott Rafferty requesting their residence be removed from the Historic District – **Voted** to refer the amendment of the zoning map, removing 185 Orchard Street from the Historic District to the Planning Board and the Historic District Commission for reports back to the City Council.

20. Letter from Meg Gilman regarding eliminating pesticide use in our communities and State - **Voted** move to accept and place on file.

21. Letter from Abigail Gindele regarding the increasing pesticide dependency tied to an imbalance in ecosystems - **Voted** move to accept and place on file.

22. Letter from Michael Capalare requesting the city place an historical marker at The Plains to signify George Washington's arrival in Portsmouth on October 31, 1789 – **Voted** to refer to the Public Works Department for report back.

23. Letter from Bob Corash regarding the construction of the Community Policing Facility – **Voted** to accept and place on file.

24. Letter from Francis Desper, Frank E. Booma Post 6 American Legion, requesting to host the Wall of Healing during the summer of 2025 - **Voted** to refer to the School Board for its consideration.

25. Letter from Coureur Portsmouth requesting permission to hold the 3<sup>rd</sup> Annual Halloween Skate Jam on Saturday, October 26, 2024, from 1:00 p.m. to 4:00 p.m. (Rain Date October 27<sup>th</sup>) at the Portsmouth Skatepark – **Voted** to refer to the City Manager with Authority to Act.

26. Letter from Christine Groleau, North Church of Portsmouth, extending heartfelt thanks to the City Council for granting a fee waiver related to their construction project that will benefit the broader Portsmouth community – **Voted** to accept and place the letter on file.

*The Board voted to recommend the City Council hold second reading on the proposed GNOD zoning amendments and to recommend adding Day Care as a permitted use.*

**Motion:** P. Giuliano, **Second:** T. Coviello  
*Motion passed 8-1 with Member Hewitt voting against*

- D.** The request of **Scott Rafferty (Owner)**, to remove **185 Orchard Street** from The Historic District. Said property is located on Assessor Map152 Lot 2-1 and lies within the Historic and General Residence A (GRA) Districts.

*Recommend the City Council remove 185 Orchard Street from the Historic District.*

**Motion:** K. Conard, **Second:** J. Almeida  
*Motion passed with all in favor*

## **V. CITY COUNCIL REFERRALS**

- A. Gateway Neighborhood Overlay District (GNOD) – see above**
- B. 185 Orchard Street – see above**
- C. 165 & 177 Bartlett Street – Sidewalk & Temporary Construction Easements**

*Recommend the City Council accept sidewalk and temporary construction easements from property owners at 177 and 165 Bartlett Street.*

**Motion:** B. Moreau, **Second:** K. Conard  
*Motion passed with all in favor*

## **VI. OTHER BUSINESS**

- A.** Presentation from Portsmouth High School Student ACE (Architecture, Construction, Engineering) Mentorship Club
- B. 2 Russell Street –** Requesting a second one-year extension of the Site Plan Approval, through December 15, 2025.

*The Board voted to **grant** a second one-year extension of the site plan to December 15, 2025.*

**Motion:** K. Conard, **Second:** J. Almeida  
*Motion passed 8-1 with Member Hewitt voting against*